



**TOWN OF NEW WINDSOR
ZONING BOARD OF APPEALS**

APPLICATION FOR VARIANCE

December 29, 2008

Date

Application Type: Use Variance ☐ Area Variance ☒
Sign Variance ☐ Interpretation ☐

e-mail address: Slepoyco@optonline.net

I. **Owner Information:**
Windsor Associates S LLC

Phone Number: (516) 872-9572

Fax Number: (516) 872-8408

(Name)

104 South Central Avenue, Suite 20, Valley Stream, NY

11580 (Address)

II. **Applicant:**

e-mail address: curtis.sigler@AutoZone.com

Phone Number: (901) 495-8712

Fax Number: (901) 495-8300

(Name)

AutoZone, Inc.

(Address)

123 South Front Street, 3rd Fl., Memphis, TN 38103

III. **Forwarding Address, if any, for return of escrow:**

Phone Number: ()

Fax Number: ()

(Name)

(Address)

IV. **Contractor/Engineer/Architect/Surveyor/:**

Phone Number () 561-3695

Fax Number: () 561-3027

Gregory J. Shaw, P.E.

(Name)

744 Broadway, Newburgh, NY 12550

(Address)

V. **Property Information:**

Zone: C Property Address in Question: 1011 NYS Route 94

Lot Size: 1.435 Acres Tax Map Number: Section 69 Block 4 Lot 26.13

a. Is pending sale or lease subject to ZBA approval of this Application? No

b. When was property purchased by present owner? 1971

c. Has property been subdivided previously? No If so, When:

d. Has an Order to Remedy Violation been issued against the property by the Building/Zoning/Fire Inspector? No

****PLEASE NOTE:*****

THIS APPLICATION, IF NOT FINALIZED, EXPIRES ONE YEAR FROM THE DATE OF SUBMITTAL.

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APPLICATION FOR VARIANCE - continued

VIII. AREA VARIANCE: (This information will be on your Building Department Disapproval form you receive)

Area Variance requested from New Windsor Zoning Local Law,

	<u>Requirements</u>	<u>Proposed or Available</u>	<u>Variance Request</u>
Min. Lot Area	40,000 SF	62,506 SF	
Min. Lot Width	200 Ft	311 Ft	
Reqd. Front Yd.	60 Ft	76 Ft (Exist. Building)	
Reqd. Side Yd.	30 Ft.	36 Ft (AutoZone Building)	
Total Side Yd.	70 Ft	77 Ft (AutoZone & Exist. Building)	
Reqd. Rear Yd.	30 Ft	40 Ft	
Reqd. St Front*			
Max. Bldg. Hgt.	27 Ft	22 Ft (AutoZone Building)	
Min. Floor Area*			
Dev. Coverage*	85%	70.8%	
Floor Area Ratio**	0.50	0.15	
Parking Area	62 Spaces	54 Spaces	8 Spaces

*Residential Districts Only

**Non-Residential Districts Only

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APPLICATION FOR VARIANCE - continued

- IX. ****In making its determination, the ZBA shall take into consideration, among other aspects, the benefit to the applicant if the variance is granted as weighed against the detriment to the health, safety and welfare of the neighborhood or community by such grant. Also, whether an undesirable change will be produced in the character of the neighborhood or a detriment to nearby properties will be created by the granting of the area variance.**

PLEASE ANSWER EACH OF THE FOLLOWING QUESTIONS SPECIFICALLY:

1. Whether the benefit sought by the applicant can be achieved by some other method feasible for the applicant to pursue other than an area variance; _____
Refer To Attached Narrative

2. Whether the requested area variance is substantial; _____
Refer To Attached Narrative

3. Whether the proposed variance will have an adverse effect or impact on the physical or environmental conditions in the neighborhood or district; _____
Refer To Attached Narrative

4. Whether the alleged difficulty was self-created. _____
Refer To Attached Narrative

****After reading the above paragraph, please describe why you believe the ZBA should grant your application for an Area Variance:**

Refer To Attached Narrative

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XII. ADDITIONAL COMMENTS:

- (a) Describe any conditions or safeguards you offer to ensure that the quality of the zone and neighboring zones is maintained or upgraded and that the intent and spirit of the New Windsor Zoning Local Law is fostered. (Trees, landscaped, curbs, lighting, paving, fencing, screening, sign limitations, utilities, drainage.)
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XIII. ATTACHMENTS REQUIRED:

- ☒ Copy of contract of sale, lease or franchise agreement. Copy of deed and title policy.
- ☒ Copy of site plan or survey (if available) showing the size and location of the lot, buildings, facilities, utilities, access drives, parking areas, trees, landscaping, fencing, screening, signs, curbs, paving and streets within 200 ft. of the lot in question.
- ☐ Copies of signs with dimensions and location.
- ☐ Three checks: (each payable to the TOWN OF NEW WINDSOR)
- ☐ One in the amount of \$ 300.00 or 500.00 (escrow)
- ☐ One in the amount of \$ 50.00 or 150.00 (application fee)
- ☐ One in the amount of \$ 25.00 (Public Hearing List Deposit)
- ☐ Photographs of area that variance(s) is/are being requested for showing relationship to property lines (5 or 6) from several angles. (IF SUBMITTING DIGITAL PHOTOS PRINTED FROM COMPUTER - PLEASE SUBMIT FOUR (4) SETS OF THE PHOTOS.)

XIV. AFFIDAVIT.

STATE OF NEW YORK)

) SS.:

COUNTY OF ~~ORANGE~~) NASSAU

The undersigned applicant, being duly sworn, deposes and states that the information, statements and representations contained in this application are true and accurate to the best of his/her knowledge or to the best of his/her information and belief. The applicant further understands and agrees that the Zoning Board of Appeals may take action to rescind any variance granted if the conditions or situation presented herein are materially changed.

Sworn to before me this:

29th day of December 2008.

[Signature]
Owner's Signature (Notarized)

Owner's Name (Please Print)

[Signature]
Signature and Stamp of Notary

[Signature] For AUTOCORP, INC
Applicant's Signature (If not Owner)

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